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SHIRLEY V. REMMERT, PRO SE
990 Berkeley Avenue
Menlo Park, CA 94025
Tel: 650-921-8820

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

Shirley V. Remmert,
Plaintiff,

v.

District Attorney
Of San Mateo County
James Fox,
Defendant

CO-DETAINEE REMMERT'S
DECLARATION AS WITNESS TO
EVA AL-ZAGHARI'S DENIED RIGHT
TO PROSECUTE HER PETITION FOR
FOR WRIT OF HABEAS CORPUS

CASE NO. C-08-1645 *CRB*

*RE REMMERT'S PETITION FOR
WRIT OF HABEAS CORPUS; REQUEST
TO JOIN EVA AL-Z. AND HER PETITION;
REQUEST FOR HER NUNC PRO TUNC
FILING; THAT COURT APPOINT HER A
PUBLIC DEFENDER*

HON. CHARLES R. BREYER

*Real Party in Interest:
Deputy Public Guardian
[of Eva D. Al-Zaghari]
Marcelle Moon*

ORIGINAL

I, Plaintiff Shirley V. Remmert, declare as follows:

I am the mother of Eva D. Al-Zaghari, conserved by the Public Guardian's Office

1 of San Mateo County. I am a witness to the fact that my daughter is being denied her right
2 to prosecute her petition for writ of habeas corpus.

3 This declaration is filed in support of the court's granting nunc pro tunc
4 filing status of her present petition for writ of habeas corpus, serving the purpose of my
5 own petition as corroborating evidence through the joinder of our petitions, causes,
6 similar claims, defenses, and relief under the U. S. Constitution.

7 This declaration is also in support of appointment of a public defender for my
8 daughter to reflect the factual history of the Probate's court's original lack of cause for its
9 jurisdiction over her person (See Grounds for Relief in her proposed petition, pages 6a ~
10 6L).

11
12
13 Why Nunc Pro Tunc Relief is Necessary
14

15 Since my daughter was first locked up on March 26, 2005 for the purpose of
16 permanent incarceration, she has been continually frustrated by county employees in her
17 attempt to plead for her release. In 2006, her petition for writ of habeas corpus
18 disappeared after her visitor handed the papers to a staff member of Cordilleras Mental
19 Health Center for forwarding to the private defender. County employees found a way to
20 issue a restraining order against me, preventing me from helping her litigate, and to
21 criminalize my attempts to help her in any way. They mounted physical and mental abuse
22 on her according to medical records while at the same time ordering the staff to
23 "discourage family visits". County investigators, private defenders, and the Probate court
24 looked the other way. The county set me up to either watch the abuses increase in
25
26
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1 severity or incriminate myself by helping her escape from the abuses. I chose the latter
2 and helped her escape on June 11, 2005 (the subject of my petition) and on April 25,
3 2007.

4 On April 27, 2007, the governor of this state "received" our signed petition for her
5 release.

6 She duly filed a motion in her petition on April 29, 2007. She was caught by
7 authorities and returned to the county's halfway house. On May 2, 2007, she escaped
8 from the county's custody on her own. She was trying to find her way to our home when
9 she was picked up by a Highway Patrol officer, who allowed me to bring her home. The
10 county had taken her off the psychosis-inducing drugs at that time. She signed and
11 arranged to have filed on May 2, 2007 a supplement to a memorandum for a temporary
12 restraining order in her petition for a writ of habeas corpus, Case No. C-07-80099 MISC
13 PJH, U. S. District Court, Oakland, *Eva D. Al-Z. v. San Mateo County Public Guardian*
14
15
16
17 **(Exhibit A).**

18 The petition for the writ was originally signed by my daughter on March 3, 2007.
19 It was not recognized by the court for prosecution by her until she escaped on May 2,
20 2007. Thereafter her submitted documents were stamped as filed instead of Received or
21 merely declined.

22
23 I called the Private Defender's office on May 3, 2007 and told them that my
24 daughter wanted to consult with them about her release. The attorney on duty told me
25 that she had to talk to them personally and by appointment. I was in the process of
26 driving her to their office when sheriff deputies appeared at our home, handcuffed me,
27
28

1 and put me under arrest.

2 My daughter was apprehended by sheriff deputies in our home a few hours later
3 and sent to the psychiatric ward of San Mateo Medical Center at the request of Deputy
4 Public Guardian Marcelle Moon. There she was punished for her escape and drugged in
5 preparation for my second trial on May 29, 2007. Drugged by psychiatrists for the trial,
6 she was required to testify against my assisting her in her escape from the halfway house
7 on April 25, 2007.
8

9 My daughter's petition had never been approved for filing according to Hon.
10 Phyllis J. Hamilton's order of June 25, 2007. My daughter's petition was dismissed. I do
11 not agree with the gridlock on our constitutional rights, since my daughter's supplement
12 to memorandum was filed.
13

14 Conclusion

15 For the above reasons, the court should grant nunc pro tunc status to my
16 daughter's petition for writ of habeas corpus and appoint a public defender who will
17 examine our evidence in my custody. He may examine as a prerequisite to his
18 representing my daughter my evidence regarding her capacity
19

20 Relief Requested

21 I request that the court file my daughter's petition for writ of habeas corpus, nunc
22 pro tunc and appoint a public defender for her who will examine our evidence in my
23 custody.
24
25
26
27

1 I declare that the above statements are true and correct under the penalties for perjury of
2 the federal laws.

3
4 DATE: *July 13, 2008*

5 Respectfully Submitted By:

6
7 *Shirley V. Remmert*
8 Plaintiff

A

ORIGINAL
FILED

07 MAY -2 AM 11:29

RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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EVA D. AL-ZAGHARI, PRO SE
990 Berkeley Avenue
Menlo Park, CA 94025
Tel: 650-222-4682

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Eva D. Al-Zaghari,
Petitioner,

v.

San Mateo County Public Guardian
And Deputy Marcelle Moon,
Respondent

PETITIONER'S SUPPLEMENT TO
MEMORANDUM IN SUPPORT OF
MOTION FOR TRO "RECEIVED
APR. 20, 2007" [RE PETITION FOR WRIT OF
HABEAS CORPUS] EXHIBIT A/
CASE NO. C-07-080099 MISC PJH
HON. PHYLLIS J. HAMILTON
EX PARTE DATE: ~~MAY 2, 2007~~ ^{5/11}
TIME: 9:00 A.M.
ROOM: 3; 17TH FLOOR

Under Exhibit C of the Memorandum in Support of a Motion for a TRO, Abuses
by Public Guardian and Related Agencies/ Eucalyptus House, Exhibit page 5, recent facts
have developed as follows:

Eucalyptus House, continued

On April 25, 2007, I escaped from Eucalyptus House in Daly City. I went to my
home at 990 Berkeley Avenue in Menlo Park on April 29, 2007 to hide there. My mother
has not assisted me. I think it is still my home, unless the Public Guardian has taken that
too. I was warned by the Eucalyptus staff not to miss the six doctor's appointments for
questionable treatments to which I am forced to submit, or else I would be punished.

At Cordilleras, the previous residence, some staff members tried to brainwash me
into becoming a "hooker". They systematically made me feel I could be attacked any

1 time by males on the floor. At Eucalyptus, I was subjected to the same treatment. The
2 neighborhood is patrolled by Daly City gangs. I am encouraged by some staff members
3 to go out by myself. (See attached letter, Exhibit A, sent to my mother by an interested
4 party.) I hope the letter to the judge will stop the violence against me.
5

6 I continued to lose sleep and I was forced to work in a kitchen without sleep. I
7 burned part of my finger and fear more accidents. My heart was hurting when I forced
8 myself to stay awake by drinking too much coffee. The punishment for not waking up is
9 their yelling at me, mocking me, and making me miss meals. The kitchen is overcrowded
10 and work is done by everyone at a hectic pace.
11

12 The staff wants to treat me for asthma, which, like my other physical ailments,
13 was brought on by this illegal conservatorship and living conditions that amount to
14 slavery.
15

16
17 DECLARATION UNDER PENALTY OF PERJURY

18 STATE OF CALIFORNIA
19 SAN MATEO COUNTY

20 I, Petitioner Eva D. Al-Zaghari, declare that the above statements are true and
21 correct under the penalties for perjury of the federal laws.
22

23 EXECUTED on April 29, 2007

24 Respectfully Submitted,

25
26 By:

27 Eva D. Al-Zaghari
28 Eva D. Al-Zaghari, Pro Se

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PROOF OF SERVICE

Certificate of Service

I hereby certify that I caused the within document(s):

CO-DETAINEE REMMERT'S DECLARATION AS WITNESS TO EVA AL-ZAGHARI'S DEENIED RIGHT TO PROSECUTE HER PETITION FOR WRIT OF HABEAS CORPUS/ RE REMMERT'S PETITION FOR WRIT OF HABEAS CORPUS; REQUEST TO JOIN EVA AL-Z. AND HER PETITION; REQUEST FOR HER NUNC PRO TUNC FILING; THAT COURT APPOINT HER A PUBLIC DEFENDER.

U. S. District Court Case No.

to be served on the party(ies) in this action:

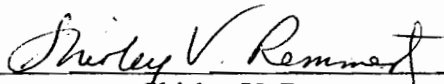
1. **California State Attorney General Jerry Brown, 1300 I - Street, Sacramento, CA 95814;**
2. **Hon. Robert D. Foiles,** 3. **Deputy County Counsel Peter Finck,**
4. **District Attorney James P. Fox, 400 County Center Redwood City, CA 94063;**
5. **Eva D. Al-Zaghari pending release from isolation**

(By Personal Service) I, Shirley V. Remmert, caused each such envelope to be delivered by hand on **July 14, 2008** to the person or offices of each addressee indicated by the corresponding number (2, 3, 4).

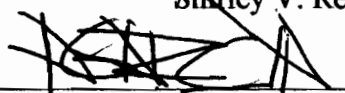
(By First Class Mail) I, A. Garcia, caused each such envelope to be mailed on **July 14, 2008** in the U. S. Post Office to each addressee indicated by the corresponding number (1). *I, Arturo Garcia, am a self-employed agent over 18 years of age and I am not a party in this case. My business address is 21 Coleman Place, Menlo Park, CA 94025.*

I declare that the above statements are true and correct under the penalties for perjury of the state of California.

Date: July 14, 2008


Shirley V. Remmert

Date: July 14, 2008


A. Garcia